

1 J. SCOTT GERIEN, State Bar No. 184728  
MEGAN FERRIGAN HEALY, State Bar No. 229177  
2 DICKENSON, PEATMAN & FOGARTY  
809 Coombs Street  
3 Napa, California 94559  
Telephone: (707) 252-7122  
4 Facsimile: (707) 255-6876

5 Attorneys for Plaintiff  
SUTTER HOME WINERY, INC.

6  
7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 Sutter Home Winery, Inc.,

12 Plaintiff,

13 vs.

14 Skylite Cellars LLC

15 Defendant.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

CASE NO. 3:08-cv-1949

**NOTICE OF VOLUNTARY  
DISMISSAL**

1 NOTICE IS HEREBY GIVEN that pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff, Sutter  
2 Home Winery, Inc., voluntarily dismisses the above-captioned action without prejudice.

3  
4 Dated: 5/28/08

5 Respectfully submitted,

6 DICKENSON, PEATMAN & FOGARTY

7  
8 By 

9 J. Scott Gerien  
Megan Ferrigan Healy

10 809 Coombs Street  
11 Napa, California 94559  
12 Telephone: 707-252-7122  
Facsimile: 707-255-6876

13 Attorneys for Plaintiff,  
14 SUTTER HOME WINERY, INC.

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
DP&F  
DICKENSON, PEATMAN & FOGARTY  
A Professional Law Corporation

**PROOF OF SERVICE**

I declare that I am over the age of 18 years, employed in the County of Napa, and not a party to the within action; my business address is 809 Coombs Street, Napa, California 94559.

On May 28, 2008, I placed a copy of the following document(s):

• **NOTICE OF VOLUNTARY DISMISSAL**

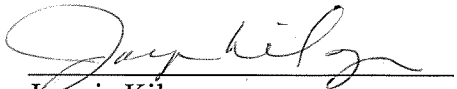
in a sealed envelope addressed as shown below and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The persons served are as follows:

Tom Hodgins  
Skylite Cellars, LLC  
25 Campbell Road  
Walla Walla, WA 99362

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 28, 2008, at Napa, California.

  
Jaymie Kilgore  
Legal Secretary